

## ARGUMENTS/REMARKS

Claims 1- 25 and 36-38 are pending. No claims stand allowed.

Claims 1, 13, 15-16, 19, and 36-38 have been amended for further prosecution. Support for the amendment may be found, for example, in paragraphs [0051]-[0052] (pages 11-12) of the present specification and FIG. 7. The amendment also includes minor changes of a clerical nature.

No new matter has been introduced by this amendment.

### **Objections to the Claims**

Claims 36-38 stand objected to because of certain informalities as noted in the Office Action. Claims 36-38 have been amended to correct typographical errors in accordance with the Examiner's suggestion.

With this amendment, it is respectfully requested that the objections to the claims be withdrawn.

### **Rejections of Claims under 35 U.S.C. § 103:**

Claims 1-10, 13-14, 17-25 and 36-38 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Suda (U.S. Pat. Application Publication No. 2004/0123059) in view of Moro (U.S. Pat. Application Publication No. 2004/107316) and Murray et al (U.S. Pat. No. 6,185,66). Claims 11-12 and 15-16 also stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Suda in view of Moro and Murray et al., and further in view of Colligan et al. (U.S. Pat. No. 6,519,762). The rejections are respectfully traversed.

In the Office Action, the Examiner acknowledges that Suda does not disclose "(d) operating the memory card in accordance with the second file format by accessing the entire address space of the non-volatile data storage as the single volume when said determining (b) determines that the single volume address space is present" (i.e., the memory card has the second configuration), nor "each range of addresses which stores the volume information in a second and any subsequent volumes under the first configuration stores user data under the second configuration." However, the Examiner further contends that Moro teaches the operating step (d) above, and that Murray' merging two adjacent partitions teaches "operating a memory as multiple volumes or as a single volume wherein when changing from operating the memory as multiple volumes to operating the memory as a single volume, 'each range of addresses which

stores the volume information in a second and any subsequent volumes under the first configuration stores user data under the second configuration.” Applicant respectfully disagrees for the reasons set forth below.

Claim 1 defines a method for reading data from a memory card that provides non-volatile data storage formed of a single memory array having an address space defined by a contiguous range of addresses. In the claimed invention, the memory card is operated “by accessing the entire address space of the non-volatile data storage as the single volume in accordance with the second file format when said determining (b) determines that the memory card has the second configuration, wherein each range of addresses which stores the volume information in a second and any subsequent volumes under the first configuration stores user data under the second configuration, the volume information in the second and any subsequent volumes under the first configuration not being preserved when the memory card is operated under the second configuration,” as recited in claim 1 as amended (emphasis added).

Murray allegedly teaches merging partitions in computer hard disk, by moving one edge of a target partition to overlap one or more neighboring secondary partitions and modifying or otherwise providing file system data structures in the merged partition to organize and retain the user data of all involved partitions (column 5, lines 61-66). More specifically, the target partition (alleged first volume), which is selected to be a surviving partition, grows (i.e., its boundary is extended) to include adjacent secondary partition(s) (alleged subsequent volumes) (column 10, lines 17-20 and 43-46 of Murray). In Murray, each partition contains system data, and at least one partition contains user data (column 19, lines 56-58). However, in Murray, the system data of the target partition and the secondary partition(s) is combined, and the combined system data is stored in the target partition (column 20, lines 25-27 of Murray, also see column 15, lines 58-59, and column 24, lines 46-50 thereof). That is, Murray creates a target partition system area which contains the system data formerly contained in the target and secondary partitions (column 20, lines 27-29 of Murray, emphasis added). Accordingly, Murray preserves the system data (alleged volume information) of the secondary partition(s) when it merges partitions (allegedly operates the memory in the single volume), contrary to the claimed invention in which the volume information of the subsequent volumes is not preserved, as recited in claim 1.

In addition, since Murray keeps at least one copy of all system data and user data of all partitions on a disk at all times during the merge (see Abstract), Murray teaches away from

accessing (or merging) the entire address space of the disk as the single volume because such a merge leaves no room for keeping a copy of all system data and user data during the merge.

Therefore, although Suda may be modified by the teaching of Moro and Murray, the alleged combination still fails to teach or suggest that each range of addresses which stores the volume information in a second and any subsequent volumes under the first configuration stores user data under the second configuration, the volume information in the second and any subsequent volumes under the first configuration not being preserved when the memory card is operated under the second configuration, as recited in claim 1. Accordingly, the claimed invention is not obvious from the alleged combination of Suda, Moro, and Murray.

Other independent claims 13 and 19, as amended, include substantially the same distinctive features as claim 1.

Accordingly it is respectfully requested that the rejection of claims 1, 13, and 19 based on Suda, Moro, and Murray be withdrawn.

#### Dependent Claims

Claims 2-12 and 36 depend from claim 1, claims 14-18 and 37 depend from claim 13, claims 20-25 and 38 depend from claim 19, and thus are also patentably distinct from the cited references for at least the same reasons as those recited above for the respective independent claims, upon which they ultimately depend. These dependent claims recite additional limitations that further distinguish these dependent claims from the cited references. For at least these reasons, the dependent claims are not made obvious by the prior art cited in the Office Action.

Conclusion

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
BEYER LAW GROUP LLP

/Michael J. Ferrazano/  
Michael J. Ferrazano  
Reg. No. 44,105

P.O. Box 1687  
Cupertino, CA 95015-1687  
(408) 255-8001